IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 24780 of 2000

Between:

Mukesh Singh S/o late Kamal Singh

Aged 30 years, r/o 14-10-956, Zumerath Bazar

Purana Pool, Hyderabad

..... PETITIONER

AND

1.Deputy Commissioner of Prohibition & excise

Nampally, Hyderabad

2.Station House Officer, Prohibition & Excise

Chevella, Rangareddi district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in rejecting the interim custody of the vehicle bearing No.AP 9 A 9228 (two wheeler Yamaha) vide proceedings Cr.No.509l/2000 dated 11-12-2000 as illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents to release the petitioner's vehicle bearing No. AP 9A 9228.

For the Petitioner: MR.M.VISHNU VARDHAN REDDY , Advocate
For the Respondents : GP FOR PROHIBITION & EXCISE

The Court Made the Following :

W.P.No.24780 of 2000

ORDER:

Pending finalisation of the confiscation proceedings before the Deputy Commissioner, Prohibition & Excise, Nampally, Hyderabad, the petitioner filed an application, for release of the vehicle bearing No.AP 9A 9228, which was seized while transporting 412 sachets of I.D.liquor. On dismissal of the said application, the petitioner moved this Court by way of present writ petition.

This Court while admitting the Writ petition, directed the 1st respondent to release of the vehicle on condition the petitioner furnishing bank guarantee from a Nationalised bank to the full value of the vehicle, as assessed by the concerned Motor Vehicle Inspector and further directed the petitioner also to give undertaking to produce the vehicle as and when required by the respondents and subject to the result of the writ petition.

It is now represented that the said proceedings are not yet completed and the same are still pending.

In view of the same, the Deputy Commissioner of Prohibition and excise can proceed with the enquiry and conclude the same, the bank guarantee which was furnished by the petitioner, as ordered will be subject to the result of the enquiry and

order, that will be passed by the Deputy Commissioner of Prohibition & Excise in CR.No.5091/2000. The writ petition is disposed of accordingly. No costs.

2nd JULY 2004

BSS/KMR

Assistant REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.Deputy Commissioner of Prohibition & excise

Nampally, Hyderabad

2.Station House Officer, Prohibition & Excise

Chevella, Rangareddi district.

3.2CCs to G.P for Prohibition & Excise, High Court Buildings, Hyderabad

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